

REMARKS

In the Office Action dated June 30, 2005, the Examiner provides rejections under 35 USC § 112 and § 102. Each of these issues will be separately addressed in the same order as addressed by the Office Action.

Claim Rejections Under 35 USC § 112

The Examiner rejected Claims 1, 10 and 17 stating it is unclear how the retractor shaft can be spaced by itself from the clamp and the support. It is actually the connector that is spaced by a length of the retractor shaft from the clamp and the support that the applicant is attempting to claim. Claims 1, 10 and 17 have been amended through this RCE to make this clarification.

Claim Rejections Under 35 USC § 102

Bookwalter et al. has a clamp which can tilt a retractor shaft in and out of a surgery area. There is no tilting or pivotable connector at the end of a retractor shaft in Bookwalter. The applicant is making a concerted effort to attempt to provide clear language which defines it as a connector at the end of the retractor shaft and not the clamp itself. The applicant has already pursued and obtained patent protection for such a clamp and is now seeking to protect a structure including a connector at the end of a retractor shaft which provides at least one of swiveling and tilting features not believed to be shown or provided in the prior art.

Respectfully submitted,

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By: Beverly L. Middleton
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